

No. 7571

**UNITED STATES OF AMERICA
and
KENYA**

**Exchange of notes constituting an agreement relating to
investment guaranties. Nairobi, 19 March and 20 April
1964**

Official text: English.

Registered by the United States of America on 3 February 1965.

**ÉTATS-UNIS D'AMÉRIQUE
et
KENYA**

**Échange de notes constituant un accord relatif à la garantie
des investissements. Nairobi, 19 mars et 20 avril 1964**

Texte officiel anglais.

Enregistré par les États-Unis d'Amérique le 3 février 1965.

No. 7571. EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND KENYA RELATING TO INVESTMENT GUARANTIES. NAIROBI, 19 MARCH AND 20 APRIL 1964

I

The American Ambassador to the Prime Minister of Kenya

EMBASSY OF THE UNITED STATES OF AMERICA

No. 05

Nairobi, March 19, 1964

Excellency :

I have the honor to refer to conversations which have recently taken place between representatives of our two governments relating to investments in Kenya which further the development of the economic resources and productive capacities of Kenya and to guaranties of such investments by the Government of the United States of America. I also have the honor to confirm the following understandings reached as a result of those conversations :

1. The Government of the United States of America and the Government of Kenya shall, upon the request of either Government, consult concerning investments in Kenya which the Government of the United States of America may guaranty.

2. The Government of the United States of America shall not guaranty an investment in Kenya unless the Government of Kenya approves the activity to which the investment relates and recognizes that the Government of the United States of America may guaranty such investment.

3. If an investor transfers to the Government of the United States of America pursuant to an investment guaranty, (a) lawful currency, including credits thereof, of Kenya, (b) any claims or rights which the investor has or may have arising from the business activities of the investor in Kenya or from the events entitling the investor to payment under the investment guaranty, or (c) all or part of the interest of the investor in any property (real or personal, tangible or intangible) within Kenya, the Government of Kenya shall recognize such transfer as valid and effective.

4. Lawful currency of Kenya, including credits thereof, which is acquired by the Government of the United States of America pursuant to a transfer of currency or from the sale of property transferred under an investment guaranty shall be accorded treatment by the Government of Kenya with respect to exchange, repatriation or use

¹ Came into force on 20 April 1964 by the exchange of the said notes.